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2 **SCHNEIDER ROTHMAN INTELLECTUAL**
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1 SUMMARY OF THE ACTION

2 1. Plaintiff LINDA MATLOW (“Matlow”) brings this action for violations
3 of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute
4 Matlow’s original copyrighted works of authorship.

5 2. Matlow is the owner of the photo feature agency Pix International, which
6 specializes in covering major entertainment, news and events from her main base in
7 Chicago, Illinois. She was also photo editor and/or Bureau chief and columnist for
8 The Prairie Sun, Chicago Soundz Magazine, Chicago Nightlife Magazine, Midwest
9 Beat and Chicago Beat. Matlow has over 700,000 photo images available for
10 licensing and her photos have been licensed and published in thousands of magazines,
11 books, newspapers, CD covers and TV shows, as well as hundreds of books around
12 the world.

13 3. Matlow retains all copyrights to her photographs. Matlow licenses her
14 copyrighted Works, such as the one in this case, for commercial use.

15 4. Defendant RABERCOM ENTERPRISES, LLC DBA EUR WEB (“EUR
16 Web”) is an online digital entertainment and magazine.

17 5. Matlow alleges that EUR Web copied Matlow’s copyrighted work from
18 the internet in order to advertise, market and promote its business activities. EUR
19 Web committed the violations alleged in connection with EUR Web’s business for
20 purposes of advertising and promoting sales to the public in the course and scope of
21 EUR Web’s business.

1 **JURISDICTION AND VENUE**

2 6. This is an action arising under the Copyright Act, 17 U.S.C. § 501.
3
4 7. This Court has subject matter jurisdiction over these claims pursuant to
28 U.S.C. §§ 1331, 1338(a).

5 8. EUR Web is subject to personal jurisdiction in California.
6
7 9. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and
1400(a) because the events giving rise to the claims occurred in this district,
8 Defendant engaged in infringement in this district, Defendant resides in this district,
9 and Defendant is subject to personal jurisdiction in this district.

10 **DEFENDANT**

11 10. Rabercom Enterprises, LLC dba EUR Web is a California limited
12 liability corporation with its principal place of business at 4210 Via Arbolada, #319,
13 Los Angeles, California, 90042, and can be served by serving its Registered Agent,
14 Mark H. Rynes, 1522 West Manchester Avenue, Los Angeles, California, 90047.

15 **THE COPYRIGHTED WORK AT ISSUE**

16 11. In 2005, Matlow created a photograph entitled
17 “Dennis_Rodman_7017.jpg”, which is shown below and referred to herein as the
18 “Work”.
19 \\
20 \\
21 \\



12. Matlow registered the Work with the Register of Copyrights on
13 December 19, 2005 and was assigned the registration number VAu 691-128. The
14 Certificate of Registration is attached hereto as Exhibit 1.

1 13. At all relevant times Matlow was the owner of the copyrighted Work at
2 issue in this case.

INFRINGEMENT BY DEFENDANT

4 14. EUR Web has never been licensed to use the Work at issue in this action
5 for any purpose.

6 15. On a date after the Work at issue in this action was created, but prior to
7 the filing of this action, EUR Web copied the Work.

8 16. EUR Web copied Matlow's copyrighted Work without Matlow's
9 permission.

10 17. After EUR Web copied the Work, it made further copies and distributed
11 the Work on the internet to promote the sale of goods and services as part of its online
12 entertainment and news magazine.

13 18. EUR Web copied and distributed Matlow's copyrighted Work in
14 connection with EUR Web's business for purposes of advertising and promoting EUR
15 Web's business, and in the course and scope of advertising and selling products and
16 services.

17 19. Matlow's Works are protected by copyright but are not otherwise
18 confidential, proprietary, or trade secrets.

19 20. EUR Web committed copyright infringement of the Work as evidenced
20 by the documents attached hereto as Exhibit 2.

21. Matlow never gave EUR Web permission or authority to copy, distribute or display the Work at issue in this case.

22. Matlow notified EUR Web of the allegations set forth herein on October 17, 2017. To date, the parties have failed to resolve this matter.

23. When EUR Web copied and displayed the Work at issue in this case, EUR Web removed Matlow's copyright management information from the Work.

24. Matlow never gave EUR Web permission or authority to remove
copyright management information from the Work at issue in this case.

COUNT I
COPYRIGHT INFRINGEMENT

25. Plaintiff incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

26. Matlow owns a valid copyright in the Work at issue in this case.

27. Matlow registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

28. EUR Web copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Matlow's authorization in violation of 17 U.S.C. § 501.

29. EUR Web performed the acts alleged in the course and scope of its business activities

30. Matlow has been damaged.

1 31. The harm caused to Matlow has been irreparable.

2 WHEREFORE, the Plaintiff prays for judgment against the Defendant
3 Rabercom Enterprises, LLC dba EUR Web that:

4 a. Defendant and its officers, agents, servants, employees, affiliated entities,
5 and all of those in active concert with them, be preliminarily and permanently enjoined
6 from committing the acts alleged herein in violation of 17 U.S.C. § 501;

7 b. Defendant be required to pay Plaintiff her actual damages and Defendant's
8 profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as
9 provided in 17 U.S.C. § 504:

10 c. Plaintiff be awarded her attorneys' fees and costs of suit under the
11 applicable statutes sued upon; and

12 d. Plaintiff be awarded such other and further relief as the Court deems just
13 and proper.

JURY DEMAND

15 Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: May 29, 2018

/s/ *Jonah A. Grossbardt*

JONAH A. GROSSBARDT

SCHNEIDER ROTHMAN INTELLECTUAL
PROPERTY LAW GROUP PLLC

PROPERTY LAW GROUP, PLLC
Attorneys for Plaintiff Linda Matlow